

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION**

**W.T. DAVIS, INDIVIDUALLY;
AARON GORDON AND CARLTON R. BERRY
ON BEHALF OF A CLASS OF TAXPAYERS
OF GARLAND COUNTY, ARKANSAS, SIMILARLY SITUATED;
AND THE GARLAND COUNTY CHAPTER OF THE N.A.A.C.P.**

VS. CASE NO. 6:89-CV-06088

**HOT SPRINGS SCHOOL DISTRICT;
STATE OF ARKANSAS;
ARKANSAS STATE BOARD OF EDUCATION;
THE COMMISSIONER OF THE STATE BOARD OF EDUCATION;
CUTTERMORNING STAR SCHOOL DISTRICT;
FOUNTAIN LAKE SCHOOL DISTRICT;
JESSIEVILLE SCHOOL DISTRICT
LAKE HAMILTON SCHOOL DISTRICT;
LAKESIDE SCHOOL DISTRICT; AND
MOUNTAIN PINE SCHOOL DISTRICT**

MOTION TO ENGAGE IN DISCOVERY PRIOR TO RESPONDING TO
DEFENDANTS' MOTION FOR RELIEF FROM SETTLEMENT AGREEMENT

COME NOW the Plaintiffs, W.T. Davis, Individually and on Behalf of a Class of Taxpayers of Garland County, Arkansas, Similarly Situated and The Garland County Chapter of the N.A.A.C.P., by and through its attorneys, Hurst Law Group, through Q. Byrum Hurst and Justin B. Hurst, and for their Motion to Engage in Discovery Prior to Responding to Defendants' Motion for Relief from Settlement Agreement herein, state and allege:

1. That the Plaintiffs have determined that it would be necessary and in the interest of justice for all if they are allowed to engage in discovery prior to their filing a Response to Defendant's Motion for Relief from Settlement Agreement.

2. The Defendants' Motion for Relief has exhibits which are basically affidavits of the School Districts and also statistical data to try to show that the Districts are unitary in dealing with the requirements imposed upon them by the decree of the Court.
3. It would be helpful to all concerned if discovery in the way of depositions could be taken prior to responding to Defendants' Motion for Relief from Settlement Agreement.

WHEREFORE, the Plaintiffs pray that their Motion to Engage in Discovery Prior to Filing A Response to Defendant' Motion for Relief from Settlement Agreement be granted; for their attorney fees, cost and expenses incurred herein; and for all other just and proper relief to which they may be entitled.

Respectfully submitted,

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of September, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF System which will send notification of such filing to the following:

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/s/ Q. Byrum Hurst
Q. Byrum Hurst